

REMARKS

This paper is submitted in reply to the Office Action dated July 6, 2005, within the three-month period for response. Reconsideration and allowance of all pending claims are respectfully requested.

In the subject Office Action, claims 1, 3-7, 11-14, 17-19, 22, 24-29, 33-34, 36-40, 42-48, 52-55 and 57-60 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,365,798 to Shields et al. (Shields), and claims 8-10 15-16, 20, 30-32, 35, 41, 49-51, 56 and 61 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Shields.

Applicant respectfully traverses the rejections and objections, as the cited reference does not disclose or suggest the invention as recited in any of claims 1, 3-22 and 24-61. Applicant has nonetheless amended claims 1, 22, and 42 in deference to the Examiner. Moreover, Applicant respectfully submits that no new matter is being added by the above amendments, as the amendments are fully supported in the specification, drawings and claims as originally filed.

Applicant wishes to thank the Examiner for the consideration extended in the telephonic interview conducted between the Examiner and Applicant's representative on October 5, 2005. In the interview, the amendments to the claims were discussed. More particularly, the Examiner indicated that the feature of the opposite ends being substantially symmetrical might distinguish the present claims from the cited art. All of the remaining, independent claims have consequently been amended to reflect this substantially symmetrical feature.

As acknowledged by the Examiner, the Shields reference does not have substantially symmetrical ends. Moreover, the novelty mirror disclosed in Shields could not form a proper basis for a §103 rejection based, in part, on at least the asymmetry of its ends. The novelty mirror 10, as shown in Fig. 1, must by design have a face portion 11 for reflecting a holder's image and a much more narrow handle 12 for gripping.

Other claimed features further distinguish Shields from Applicant's invention. For instance, the novelty mirror of Shields must be carefully oriented in order to create

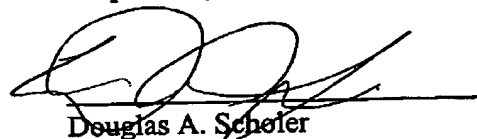
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the desired optical illusion. This careful manipulation contrasts the carefree feature of Applicant's device that allows display without regard to involved manipulation. Such manipulation could distract emergency personnel and other users during deployment, and discourages the formation of habitual use. The ease of use is in part due to the fact that a wearer does not have to regard which side or end protrudes from his or her pocket, a feature underscored by the substantially symmetrical opposite ends of the device. Unlike the mirror of Shields, the device of Applicant is made to be pliable and resilient, i.e., will not be damaged when bent, e.g., while a wearer sits with a device in his or her pocket.

With particular regard to method claim 22, Applicant notes the recitation of the insertion of the structure into the pocket without regard to which side or end protrudes from the pocket while the structure reflects light. No cited prior art discloses or suggests such functionality.

Applicant respectfully submits that all pending claims are novel and non-obvious over the prior art of record. Reconsideration and allowance of all pending claims are therefore respectfully requested. If the Examiner has any questions regarding the foregoing, or which might otherwise further this case onto allowance, the Examiner may contact the undersigned at (513) 241-2324. Moreover, if any other charges or credits are necessary to complete this communication, please apply them to Deposit Account 23-3000.

Respectfully submitted,



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